

used in this Act shall include any firm, partnership, association, corporation or group of persons.

Sec. 2. Whenever an agreement for the performance of personal services requires that workmen engaged in its performance shall be paid the prevailing rate of wages, it shall be unlawful for any person, either for himself or any other person, to request, demand, or receive either before or after such workman is engaged, that such workman pay back, return, donate, contribute or give any part or all of said workman's wages, salary, or thing of value, to any person, upon the statement, representation or understanding that failure to comply with such request or demand will prevent such workman from procuring or retaining employment, and any person who directly or indirectly aids, requests or authorizes any other person to violate any of the provisions of this section shall be guilty of a violation of the provisions of this act.

Sec. 3. The provisions of this act shall not apply to any agent or representative of a duly constituted labor organization acting in the collection of dues or assessments of such organization.

Sec. 4. A violation of any of the provisions of Section 2 of this Act shall constitute a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Twenty-Five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars or by imprisonment in the county jail for a period not to exceed thirty (30) days or by both such fine and imprisonment.

Sec. 5. The fact that there is not a law on the statute books of Texas prohibiting or regulating the kicking back of wages earned, and that this vicious practice is now being prosecuted by many subcontractors and employers of labor creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that said act shall be in force and effect after its passage, and it is so enacted.

Minutes of Committee Meetings.

Minutes of Regular Meeting of
Committee on Insurance,
Held April 30, 1935.

The Committee was called to or-

der by the Chair at 9 a. m., with the following members present:

Collie, Holbrook, Pace, Westerfeld, Woodruff.

The Chair laid before the Committee S. B. No. 246. Senator Pace moved that S. B. No. 246 be reported favorably with recommendation that it do pass and be not printed. Motion adopted by viva voce vote. Senator Holbrook raised the point of order that no quorum was present. Senator Woodruff moved a call of the Committee to dispose of pending business. Motion adopted by viva voce vote, and the Sergeant-at-Arms was asked to call all members.

After the call, the following were present: Collie, Isbell, Cotten, DeBerry, Holbrook, Moore, Pace, Poage, Rawlings, Sulak, Westerfeld, Woodruff. Absent: Shivers (excused).

H. B. No. 372 was reported favorably with recommendation that it do pass.

H. B. No. 373 was reported favorably with recommendation that it do pass.

S. B. No. 417, with committee amendments, was reported favorably with recommendation that it do pass.

On April 29, 1935, H. B. No. 522, with amendments, was reported favorably with recommendation that it do pass, by floor report signed by the following members of the Committee: Holbrook, Shivers, DeBerry, Cotten, Isbell, Woodruff, Westerfeld, Rawlings.

ANNA MAY CULLEN, Secretary.

FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
May 2, 1935.

The Senate met at 10 a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

Senate Bill No. 525.

Senator Cotton received unanimous consent to suspend the regular order and take up a local bill, S. B. No. 525.

The Chair laid before the Senate on its second reading the following bill:

By Senator Cotten:

S. B. No. 525, A bill to be entitled "An Act to reorganize the 87th Judicial District of Texas, to be constituted of Limestone, Freestone and Anderson Counties, Texas, and to provide for the terms thereof; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Cotten the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 525 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 5.

Senator Hill received unanimous consent to suspend the regular order and take up H. B. No. 5.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Reeder:

H. B. No. 5, A bill to be entitled "An Act to protect trade-mark owners, distributors, and the general public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand, or name, and to facilitate fair trade."

Laid on Table Subject to Call.

On motion of Senator Hill, H. B. No. 5 was laid on the table subject to call.

Senate Bill No. 527.

Senator Small received unanimous consent to suspend the regular order and take up S. B. No. 527.

The Chair laid before the Senate on its second reading the following bill:

By Senator Small:

S. B. No. 527, A bill to be entitled "An Act to amend Subsection (m) of Section 7, H. B. No. 2, Chapter 13, Acts of Forty-second Legislature, Third Called Session, as amended by S. B. No. 300, Chapter 136, Acts Forty-third Legislature, Regular Session; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 527 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.

Small. Van Zandt.
Stone. Westerfeld.
Sulak. Woodruff.
Absent—Excused.

Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Invitation.

Texas School For the Blind
Austin, Texas

To Members of the Senate:

You are cordially invited to at-
tend a program given in your honor
at the Texas School for the Blind
Auditorium Thursday, May 2, at
8:15 p. m.

Cars will be stationed at the north
entrance of the Capitol at 7:30 for
the convenience of those who do not
have other means of transportation
to and from the school.

W. E. ALLEN,
Superintendent.

JOHN HORNSBY,
Senator, 20th District.

Senator Hornsby moved that the
Senate accept the invitation.

The motion prevailed by viva voce
vote.

Honoring Members of the
Forty-fourth Legislature of Texas
Thursday, May 2, 1935.

Students of
Texas School For the Blind
in concert
School Auditorium, 8:15 p. m.
Program

1. Our Director _____ Bigelow
2. "Florinda," an Operetta
in One Act _____ Marzo

Characters

Florinda _____ Margaret Grissom
Fortunia _____ Leota McClellan

Vala _____ Eleen Sides
Yoringal _____ Hubert Sutters
Chorus of Fairies.
Chorus of Witches.
Scene—A Forest.

3. (a) Orientale _____ Cui
b. Scarf Dance _____ Chaminade
School Orchestra.
4. "Gymnastics" _____ Boys Phys-
ical Education Department
5. "In Topsy Turvy Land" _____
Girls Physical Education Depart-
ment.

Senate Bill No. 49.

Conference Committee Report.

Senator Oneal sent up the follow-
ing conference report:

Committee Room,

Austin, Texas, May 1, 1935.

Hon. Walter F. Woodul, President of
the Senate,

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sirs: We, your Conference Com-
mittee, to whom was referred S. B.
No. 49, have had the same under
consideration, and we recommend to
the House of Representatives and to
the Senate that said bill pass in the
form attached hereto.

Respectfully submitted,

TENNYSON,
SHOFNER,
BROYLES,
HODGES,
McFARLAND,

On the part of the House.

ONEAL,
WESTERFELD,
DAVIS,
COTTEN,
BURNS,

On the part of the Senate.

By Oneal.

S. B. No. 49.

A BILL

To Be Entitled

An Act amending Article 297 of the
Penal Code and Article 2892 of
the Revised Civil Statutes, 1925,
providing for the compulsory at-
tendance of children in the pub-
lic schools, and declaring an
emergency.

Be it enacted by the Legislature of
the State of Texas:

Section 1. That Article 297 of
the Penal Code, as amended by the
Acts of 1915 and the Acts of 1923,
be and the same is hereby amended
so as hereafter to read as follows:

"Article 297. Every child in the State who is seven years and not more than sixteen years of age shall be required to attend the Public Schools in the district of its residence, or in some other district to which it may be transferred as provided by law, for a period of not less than one hundred and twenty days. The period of compulsory school attendance at each school shall begin at the opening of the school term unless otherwise authorized by the district school trustees and notice given by the trustees prior to the beginning of such school term; provided that no child shall be required to attend school for a longer period than the maximum term of the public school in the district where such child resides."

Sec. 2. That Article 2892 of the Revised Civil Statutes, 1925, be, and the same is hereby, amended so as hereafter to read as follows:

"Article 2892. Every child in the State who is seven years and not more than sixteen years of age shall be required to attend the Public Schools in the district of its residence, or in some other district to which it may be transferred as provided by law, for a period of not less than one hundred and twenty days. The period of compulsory school attendance at each school shall begin at the opening of the school term unless otherwise authorized by the district school trustees and notice given by the trustees prior to the beginning of such school term; provided that no child shall be required to attend school for a longer period than the maximum term of the public school in the district where such child resides."

Sec. 3. The fact that the State of Texas makes a substantial per capita apportionment each year to aid in the education of children from seven years old to sixteen, and that many children between these ages are not required to attend the public schools, or other schools, and thereby the public welfare and the welfare of these children are injured, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be, and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read.

On motion of Senator Oneal the Conference Committee report was adopted by the following vote:

Yeas—26.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Nays—3.

DeBerry.	Sulak.
Martin.	

Present—Not Voting.

Holbrook.

Absent—Excused.

Fellbaum.

H. J. R. No. 9.

Pending business was Senator Rawlings' motion to rerefer H. J. R. No. 9 to the Committee on Constitutional Amendments.

Motion pending.

Point of "No Quorum."

Senator Rawlings raised a point of "no quorum."

The roll call disclosed a quorum.

Motion to Table.

Senator Pace moved to table the motion to rerefer.

Motion pending.

Senator Pace yielded to Senator Shivers.

Presentation.

Senators Shivers, DeBerry, Burns and Poage, the Committee selected by the Senate, came forward to present to Senator and Mrs. Welly K. Hopkins a gift from the members of the Senate of Texas.

Senators Shivers and Pace escorted Senator and Mrs. Hopkins to the rostrum.

Lieutenant Governor Woodul presented Senator and Mrs. Hopkins,

who expressed their appreciation in brief speeches to the Senate.

Personal Privilege.

Senator Burns rose to a point of personal privilege.

Personal Privilege.

Senator Holbrook rose to a point of personal privilege.

House Bill No. 581.

Senator Pace moved that the Senate grant the request of the House for the appointment of a Conference Committee to adjust the differences between the Houses on H. B. No. 581.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 581: Senators Pace, Small, Regan, Redditt and Stone.

H. J. R. No. 9.

The question recurred on the motion to table the motion to rerefer H. J. R. No. 9.

Points of Order.

Senator Rawlings raised the point of order that the motion to table was out of order because the Senator from Smith County did not have the floor to make the motion.

Sustained.

Senator Rawlings raised the point of order that S. B. No. 114 was pending business and that no matter could be considered until the pending matter was disposed of.

The Chair held that under the joint rules Joint Resolutions should be considered before any other matter and therefore overruled the point of order.

The Chair stated that Senator Rawlings time had expired in discussion of the motion.

Motion to Extend Time.

Senator Moore moved to suspend the rule relating to the time limit for debate in discussion of resolutions.

The motion lost by the following vote:

Yeas—9.

Holbrook.	Sanderford.
Hopkins.	Shivers.
Moore.	Stone.
Rawlings.	Westerfeld.
Regan.	

Nays—15.

Collie.	Neal.
Cotten.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Redditt.
Hornsby.	Sulak.
Isbell.	Woodruff.
Martin.	

Present—Not Voting.

Blackert.

Absent.

Beck.	Small.
Burns.	Van Zandt.
Davis.	

Absent—Excused.

Fellbaum.

Motion to Table.

Senator Pace moved to table the motion to rerefer.

The motion to table prevailed by the following vote:

Yeas—21.

Beck.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Shivers.
Duggan.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Isbell.	Woodruff.
Martin.	

Nays—6.

Hopkins.	Sanderford.
Moore.	Van Zandt.
Rawlings.	Westerfeld.

Present—Not Voting.

Blackert.

<p>Absent.</p> <p>Hill. Regan.</p> <p>Absent—Excused.</p> <p>Fellbaum.</p> <p>Senator Rawlings called for the order of the calendar.</p> <p>Personal Privilege.</p> <p>Senator Moore rose to a point of personal privilege.</p> <p>H. J. R. No. 9.</p> <p>The Chair laid before the Senate on its second reading the following bill:</p> <p>By Mr. Moffett and Mr. Alexander: H. J. R. No. 9, Proposing an amendment to Section 26 of Article III of the Constitution of Texas, by adding thereto Section 26a, providing that under no apportionment shall any county be entitled to more than seven Representatives unless the population of such county shall exceed seven hundred thousand people, etc.</p> <p>Points of Order.</p> <p>Senator Rawlings raised the point of order that the Senate was not transacting business under the calendar; but that H. J. R. No. 19 was the order of business.</p> <p>Senator Rawlings had the floor in discussion of his point of order.</p> <p>Senator DeBerry called for a ruling on the Rawlings' point of order and raised the point of order that any member could call for immediate disposition of a point of order.</p> <p>The Chair sustained the point of order raised by Senator DeBerry.</p> <p>The Chair overruled the point of order raised by Senator Rawlings.</p> <p>H. J. R. No. 19.</p> <p>Senator Rawlings moved to take up out of order H. J. R. No. 19.</p> <p>Motion for Previous Question.</p> <p>Senator Woodruff moved that the Senate order the previous question on further consideration of the motion.</p> <p>The motion was seconded.</p> <p>The motion prevailed by the following vote:</p>	<p>Yeas—17.</p> <table> <tr><td>Beck.</td><td>Martin.</td></tr> <tr><td>Blackert.</td><td>Neal.</td></tr> <tr><td>Burns.</td><td>Pace.</td></tr> <tr><td>Cotten.</td><td>Redditt.</td></tr> <tr><td>Davis.</td><td>Shivers.</td></tr> <tr><td>Duggan.</td><td>Small.</td></tr> <tr><td>Holbrook.</td><td>Sulak.</td></tr> <tr><td>Hornsby.</td><td>Woodruff.</td></tr> <tr><td>Isbell.</td><td></td></tr> </table> <p>Nays—10.</p> <table> <tr><td>Collie.</td><td>Rawlings.</td></tr> <tr><td>DeBerry.</td><td>Regan.</td></tr> <tr><td>Hopkins.</td><td>Sanderford.</td></tr> <tr><td>Moore.</td><td>Stone.</td></tr> <tr><td>Poage.</td><td>Westerfeld.</td></tr> </table> <p>Present—Not Voting.</p> <p>Oneal.</p> <p>Absent.</p> <p>Hill. Van Zandt.</p> <p>Absent—Excused.</p> <p>Fellbaum.</p> <p>Verification.</p> <p>Verification was called for.</p> <p>The verification showed the roll call to be correct.</p> <p>The Chair stated that Senator Rawlings had 10 minutes under the previous question to discuss his motion.</p> <p>The Chair stated that Senator Rawlings' time had expired.</p> <p>Motion to Recess.</p> <p>Senator Hopkins at 12:10 o'clock p. m. moved that the Senate recess until 2:00 o'clock p. m.</p> <p>The motion to recess lost by the following vote:</p> <p>Yeas—8.</p> <table> <tr><td>Duggan.</td><td>Moore.</td></tr> <tr><td>Holbrook.</td><td>Rawlings.</td></tr> <tr><td>Hopkins.</td><td>Sanderford.</td></tr> <tr><td>Isbell.</td><td>Stone.</td></tr> </table> <p>Nays—20.</p> <table> <tr><td>Beck.</td><td>Hill.</td></tr> <tr><td>Blackert.</td><td>Hornsby.</td></tr> <tr><td>Burns.</td><td>Martin.</td></tr> <tr><td>Collie.</td><td>Neal.</td></tr> <tr><td>Cotten.</td><td>Oneal.</td></tr> <tr><td>Davis.</td><td>Pace.</td></tr> <tr><td>DeBerry.</td><td>Poage.</td></tr> </table>	Beck.	Martin.	Blackert.	Neal.	Burns.	Pace.	Cotten.	Redditt.	Davis.	Shivers.	Duggan.	Small.	Holbrook.	Sulak.	Hornsby.	Woodruff.	Isbell.		Collie.	Rawlings.	DeBerry.	Regan.	Hopkins.	Sanderford.	Moore.	Stone.	Poage.	Westerfeld.	Duggan.	Moore.	Holbrook.	Rawlings.	Hopkins.	Sanderford.	Isbell.	Stone.	Beck.	Hill.	Blackert.	Hornsby.	Burns.	Martin.	Collie.	Neal.	Cotten.	Oneal.	Davis.	Pace.	DeBerry.	Poage.
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Redditt.	Sulak.
Regan.	Westerfeld.
Shivers.	Woodruff.

Absent.

Small.	Van Zandt.
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Absent—Excused.

Fellbaum.

H. J. R. No. 19.

The question recurred on the motion to take up H. J. R. No. 19.

The motion lost by the following vote:

Yeas—5.

Hopkins.	Sanderford.
Moore.	Woodruff.
Rawlings.	

Nays—22.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Pace.
Davis.	Poage.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Shivers.
Holbrook.	Sulak.
Hornsby.	Westerfeld.

Present—Not Voting.

Stone.

Absent.

Small.	Van Zandt.
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Absent—Excused.

Fellbaum.

H. J. R. No. 9.

The question recurred on the passage to third reading.

Senator Rawlings moved that consideration of H. J. R. No. 9 be deferred until the Senate reconvenes after recess.

Motion pending.

Point of Order.

Senator DeBerry raised the point of order that the motion was out of order as it was a meaningless motion, as the Senate might not recess.

The Chair sustained the point of order.

Senator Rawlings asked unanimous consent to defer action on H. J. R. No. 9 until 2:30 p. m.

There was objection.

Senator Rawlings moved to defer action on H. J. R. No. 9 until 2:30 p. m.

Motion pending.

Motion to Order Previous Question.

Senator DeBerry moved that the Senate order the previous question on the engrossment of the resolution and the motion to defer action until 2:30 p. m.

The motion was seconded.

The motion prevailed by viva voce vote.

The question recurred on the pending motion to defer further consideration until 2:30 p. m.

The motion lost by the following vote:

Yeas—8.

Hopkins.	Sanderford.
Moore.	Stone.
Rawlings.	Van Zandt.
Regan.	Westerfeld.

Nays—22.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Neal.
Collie.	Oneal.
Cotten.	Pace.
Davis.	Poage.
DeBerry.	Redditt.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Sulak.
Hornsby.	Woodruff.

Absent—Excused.

Fellbaum.

Points of Order.

Senator Moore raised the point of order that the bill had not been printed.

The Chair overruled the point of order.

Senator Rawlings raised the point of order that the resolution had not been on the desks of the Senators for 24 hours.

The Chair overruled the point of order.

The question recurred on passage to third reading of H. J. R. No. 9.

The bill was read second time and passed to third reading by the following vote:

Yeas—24.

Beck.	Martin.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.

Nays—6.

Hopkins.	Sanderford.
Moore.	Van Zandt.
Rawlings.	Woodruff.

Absent—Excused.

Fellbaum.

Senate rule requiring joint resolutions to be read on three several days be suspended and H. J. R. No. 9 be put on its third reading and final passage.

Motion to Order Previous Question.

Senator Pace moved that the previous question be ordered on suspension of the rule and final passage.

The Chair ruled the motion out of order.

Motion to Order Previous Question.

Senator Woodruff moved that the previous question be ordered on the motion to suspend rule.

The motion was seconded.

The motion prevailed by viva voce vote.

The rule was suspended by the following vote:

Yeas—25.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Shivers.

Small.
Sulak.
Van Zandt.

Westerfeld.
Woodruff.

Nays—5.

Hopkins.	Sanderford.
Moore.	Stone.
Rawlings.	

Absent—Excused.

Fellbaum.

Senator Moore sent up the following amendment:

Amend H. J. R. No. 9 by adding at the end of Section 1 the following: "And after the adoption of this amendment no session of the Legislature after the first shall be valid, or lawful until the state has been redistricted in accordance with this amendment."

MOORE.

Motion to Order Previous Question.

Senator DeBerry moved that the previous question be ordered on the amendment and the final passage of the resolution.

The motion was seconded.

The motion prevailed by viva voce vote.

Senator Moore had the floor for discussion of his amendment.

Points of Order.

Senator Woodruff raised the point of order that Senator Moore was using dilatory tactics and filibustering.

The Chair overruled the point of order.

Senator Woodruff raised the point of order that Senator Moore was not discussing the resolution.

The Chair overruled the point of order.

Senator Hornsby raised the point of order that the Senator could yield for only one question at a time.

The Chair sustained the point of order.

Point of "No Quorum."

Senator Rawlings at 1:30 o'clock p. m. raised the point of "no quorum."

The roll call disclosed a quorum.

Motion to Order Call of the Senate.

Senator Rawlings moved that a

call of the Senate be made to maintain a quorum.

Point of Order.

Senator Woodruff raised the point of order that a call of the Senate could not be ordered when a quorum was present.

The Chair sustained the point of order.

H. J. R. No. 9.

The question recurred on the adoption of the amendment by Senator Moore to H. J. R. No. 9.

A second reading was called for.

The motion was lost by the following vote:

Yeas—5.

Hopkins.	Rawlings.
Hornsby.	Regan.
Moore.	

Nays—21.

Beck.	Martin.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Stone.
Duggan.	Sulak.
Hill.	Westerfeld.
Holbrook.	Woodruff.
Isbell.	

Absent.

Sanderford.	Small.
Shivers.	Van Zandt.

Absent—Excused.

Fellbaum.

H. J. R. No. 9 was finally passed by the following vote:

Yeas—23.

Beck.	Martin.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Small.
Hill.	Stone.
Holbrook.	Sulak.
Hornsby.	Westerfeld.
Isbell.	

Nays—5.

Hopkins.	Sanderford.
Moore.	Woodruff.
Rawlings.	

Absent.

Shivers.	Van Zandt.
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Absent—Excused.

Fellbaum.

Senate Bill No. 369.

Senator Redditt moved that the Senate do not concur in House amendments to S. B. No. 369 and requested that a Conference Committee be appointed to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed as conferees on the part of the Senate on S. B. No. 369 the following: Senators Redditt, Holbrook, Moore, Pace and Regan.

Motion to Recess.

Senator Rawlings at 1:45 o'clock p. m. moved that the Senate recess until 3 o'clock p. m.

Motion pending.

Senate Bill No. 149.

Senator Redditt moved that the Senate do not concur in House Amendments to S. B. No. 149, and requested the appointment of a conference committee to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on S. B. No. 149:

Senators Redditt, Poage, Collie, Neal and Hornsby.

Senate Bill No. 476.

Senator Neal moved that the Senate do concur in House amendments to S. B. No. 476.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.

Absent.

Shivers.	Van Zandt.
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Absent—Excused.

Fellbaum.

Senate Bill No. 234.

Senator Duggan moved that the Senate do concur in House amendments to S. B. No. 234.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Moore.
Blackert.	Neal.
Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.

Absent—Excused.

Fellbaum.	Van Zandt.
Shivers.	

Senate Bill No. 401.

Senator Poage moved that the Senate do concur in House amendments to S. B. No. 401.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.

DeBerry.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Sanderford.
Isbell.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent—Excused.

Fellbaum.	Van Zandt.
Shivers.	

Motion to Suspend Rule.

Senator Hornsby received unanimous consent to suspend the regular order and sent up the following local bill:

Senate Bill No. 528.

By Senator Hornsby:

S. B. No. 528, A bill to be entitled "An Act providing for an additional assistant district attorney for the 53rd Judicial District of Texas, prescribing his qualifications who shall be authorized to perform any official act devolving upon or authorized to be performed by the district attorney of such district, requiring him to take the oath of office, and who shall hold office subject to the will of the district attorney, making an appropriation for his salary for the ensuing biennium, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 393.

Senator Shivers moved that the Senate do concur in House amendments to S. B. No. 393.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Isbell.
Blackert.	Martin.
Burns.	Moore.
Collie.	Neal.
Cotten.	Oneal.
Davis.	Pace.
DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.

Small.
Stone.
Sulak.

Westerfeld.
Woodruff.

Absent—Excused.

Fellbaum. Van Zandt.

Recess.

The motion to recess prevailed by viva voce vote at 2 p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

H. C. R. No. 104.

The Chair laid before the Senate on its first reading the following resolution:

Suspending Rules 22, 23, and 32 of the Joint Rules of the House and Senate for the purpose of considering in the House until the final disposition thereof, H. B. No. 27.

Read and adopted.

H. C. R. No. 102.

The Chair laid before the Senate on its first reading the following resolution:

Nullifying the provisions of H. C. R. No. 66 and fixing the date of sine die adjournment for the Forty-fourth Regular Session of the Legislature at 12 o'clock noon, May 11, 1935.

Senator Pace moved that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 102 be taken up and considered at this time.

The motion prevailed by viva voce vote.

H. C. R. No. 102 was adopted by viva voce vote.

Motion to Reconsider.

Senator Pace moved to reconsider the vote by which H. C. R. No. 102 was adopted.

Motion to Table.

Senator Shivers moved to table the motion to reconsider.

The motion to table prevailed by viva voce vote.

Senate Bill No. 114.

Pending business was S. B. No. 114.

The question recurred on the adoption of the pending amendment by Senator Oneal and the pending substitute by Senator Collie.

The pending amendment and the substitute were withdrawn.

Senator Duggan sent up the following amendments:

Amend S. B. No. 114, page 9, Section 19, line 37 by inserting after the word "taxes" at the end of line 37 and before the word "Shall" in line 38 the following:

"for the year 1933 or any prior year or years."

DUGGAN.

Read and adopted.

Amend S. B. No. 114, page 4, Article 7324, line 24, by adding after the word "Costs" in line 24 the following:

"for preparing redemption certificates as provided for in Article 7331, of the Revised Civil Statutes, as amended.

DUGGAN.

Read and adopted.

Amend S. B. No. 114, page 5, Section 9, Article 7324-d, line 31, by inserting after the word "property" and the word "so" in line 31 the following:

"for the year 1933 or any prior year or years."

DUGGAN.

Read and adopted.

Senator Rawlings sent up the following amendment:

Amend committee substitute to S. B. No. 114, page 8, Section 14, by striking out all of line 22 and down to and including the word "matters" in line 23, and insert in lieu thereof the following:

"such person shall be a resident of and shall have resided in the county where the delinquent property is situated for a period of six months prior to his employment."

RAWLINGS.

Read and adopted.

Senator Duggan sent up the following amendments:

Amend S. B. No. 114 by making proper corrections in Articles of Statutes amended.

DUGGAN.

Read and adopted.

Amend S. B. No. 114 by amending

the caption to conform to the amendments.

DUGGAN.

Read and adopted.

Amend S. B. No. 114, page 8, by striking out the last sentence in Section 14, beginning immediately following the word "official" in line 35 and insert in lieu thereof the following:

"That more than 4 counties (if none of such counties has a population of more than 5,000 according to the last preceding Federal census) may jointly employ such person to collect said delinquent taxes, provided said collector resides in one of the counties affected."

RAWLINGS.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to engrossment.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 114 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—16.

Beck.	Hopkins.
Blackert.	Hornsby.
Collie.	Isbell.
Davis.	Martin.
Duggan.	Neal.
Holbrook.	Oneal.

Pace.
Poage.

Regan.
Sanderford.

Nays—10.

Burns.	Rawlings.
Cotten.	Redditt.
DeBerry.	Shivers.
Hill.	Sulak.
Moore.	Westerfeld.

Present—Not Voting.

Van Zandt.

Absent.

Small.	Woodruff.
Stone.	

Absent—Excused.

Fellbaum.

House Bill No. 743.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Rutta and Mr. Westfall:

H. B. No. 743, A bill to be entitled "An Act amending Article 1104, Article 1105, Article 1106, and Article 1111 of the Penal Code, and declaring an emergency."

Senator Duggan sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 743, page 1, line 35, by inserting between the words "Code" and "be" the following:

"as amended by the Acts of the Regular Session of the Forty-third Legislature, Chapter 46."

DUGGAN.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 743, page 1, line 44, by inserting between the words "Code" and "be" the following:

"as amended by the Acts of the Regular Session of the Forty-third Legislature, Chapter 46."

DUGGAN.

Read and adopted.

Amendment No. 3.

Amend H. B. No. 743, page 1, line 61, by striking out the words and figures "ten one hundredths (0.10) per cent" after the word "exceed" and inserting in lieu thereof the

words and figures "twenty-one hundredths per cent (0.20%)"

DUGGAN.

Read and adopted.

Amendment No. 4.

Amend H. B. No. 743, page 2, line 1, by inserting between the words "Code" and "be" the following:

"as amended by the Acts of the Regular Session of the 43rd Legislature, Chapter 46."

DUGGAN.

Read and adopted.

Committee Amendment No. 5.

Amend H. B. No. 743, page 1, by striking out all above the enacting clause and inserting in lieu thereof the following:

By Rutta and H. B. No. 743. Westfall.

A BILL

To Be Entitled

An Act amending Article 1103 of the Penal Code as amended by the Acts of the Regular Session of the 43rd Legislature, Chapter 46; Article 1104 of the Penal Code; Article 1105 of the Penal Code as amended by the Acts of the Regular Session of the 43rd Legislature, Chapter 46; Article 1106 of the Penal Code as amended by the Acts of the Regular Session of the 43rd Legislature, Chapter 46; and Article 1111 of the Penal Code regulating the manufacture, sale and distribution of petroleum products; providing certain standards, rules and definitions relative thereto; providing a penalty for violation of the provisions thereof; and declaring an emergency.

DUGGAN.

Read and adopted.

Amend H. B. No. 743, page 2, Section 4, line 25, by adding before the word "violate" the word "knowingly."

MARTIN.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading by viva voce vote.

On motion of Senator Duggan, the constitutional rule requiring bills to be read on three several days was

suspendde and H. B. No. 743 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum. Van Zandt.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Absent—Excused.

Fellbaum. Van Zandt.

House Bill No. 749.

The Chair laid before the Senate on its second reading the following bill:

By Alexander:

H. B. No. 749, A bill to be entitled "An Act amending Section 1, Section 2, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, Section 13, Section 15, H. B. No. 247, Chapter 44, General Laws of the Regular Session of the Forty-third Legislature, and providing that

venue of criminal prosecution shall be in Travis County or in the county where an offense is committed; providing that conviction may be had, etc."

Senator Duggan yielded to Senator Collie for a motion.

Senate Bill No. 114.

Motion to Reconsider.

Senator Collie moved to reconsider the vote by which S. B. No. 114 was finally passed, and laid his motion on the table, subject to call.

House Bill No. 749.

Senator Hill sent up the following amendment:

Amend H. B. No. 749, by striking out lines 37 on page 9 through line 4 on page 10.

HILL.

Motion to Table.

On motion of Senator Woodruff the amendment was tabled by the following vote:

Yeas—14.

Beck.	Redditt.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Moore.	Van Zandt.
Poage.	Woodruff.

Nays—9.

Burns.	Pace.
Collie.	Rawlings.
Cotten.	Sulak.
Hill.	Westerfeld.
Martin.	

Absent.

Blackert.	Neal.
Davis.	Oneal.
DeBerry.	Regan.
Isbell.	

Absent—Excused.

Fellbaum.

Amend House Bill No. 749, page 9, lines 52 and 53, by striking out the words "said motor vehicle and its contents" and inserting in lieu thereof the following: "said motor fuel."

RAWLINGS.

Read.

Motion to Table.

Senator Woodruff moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—18.

Beck.	Neal.
Blackert.	Oneal.
Collie.	Poage.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Small.
Isbell.	Van Zandt.
Moore.	Woodruff.

Nays—10.

Burns.	Pace.
Cotten.	Rawlings.
DeBerry.	Shivers.
Hill.	Sulak.
Martin.	Westerfeld.

Present—Not Voting.

Davis.

Absent.

Stone.

Absent—Excused.

Fellbaum.

Amend House Bill No. 749, page 11, line 58 by striking out the words and figures "thirty (30) gallons of."

RAWLINGS.

Read and pending.

Motion to Recess.

Senator Beck at 5:15 o'clock p. m. moved that the Senate recess until 8:00 o'clock p. m.

Motion pending.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives, Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 455, A bill to be entitled "An Act giving authority to the Fitzpatrick Construction Company

permission to sue the State Highway Department of Texas, and the State of Texas, in an amount not to exceed Four Thousand Six Hundred Thirty-five Dollars and Eleven Cents (\$4,635.11) for an alleged breach of contract by said department; making appropriation in said sum of Four Thousand Six Hundred Thirty-five Dollars and Eleven Cents (\$4,635.11) or so much thereof as may be necessary to pay any judgment as may be rendered by any court of competent jurisdiction in said cause against the State Highway Department; providing for said appropriation to be paid out of the State Highway Department funds; fixing venue of said suit against the State Highway Department and the State of Texas; providing for proper service in said suit; providing for a preamble setting forth the nature of the cause of action herein authorized; and declaring an emergency."

S. B. No. 496, A bill to be entitled "An Act authorizing any city of more than one hundred thousand population, according to the last preceding census, to codify and adopt a code of civil and criminal ordinances without the necessity of publication, providing for the taking effect of said code upon adoption, providing for the reception in evidence of such code when printed under the supervision of the governing body of said city and the effect of such admission in evidence, and declaring an emergency."

S. B. No. 520, A bill to be entitled "An Act amending the subdivision of Article 199, Revised Civil Statutes of 1925, relating to the district courts of Bexar County, being the subdivision identified by the numbers 37, 45, 57, 73, 94, so as to make such subdivision apply only to the district courts of the 37th, 45th, 57th and 73rd judicial districts, and so as to provide an additional term for each of said courts; enacting provisions relating to the jurisdiction of said courts and providing for the transfer of cases as between said courts and providing for all things necessary to be done in connection with any such cases so transferred; providing for all things necessary and incidental to the main subject and purpose of this act whether mentioned in the caption or not, and declaring an emergency."

S. B. No. 179, A bill to be entitled "An Act making appropriations to

pay all of the interest now due, or to become due, on or before August 31, 1937, on bonds of the State of Texas held by certain permanent funds of the State of Texas, authorizing the payment of certain warrants issued pursuant to this Act and of all warrants issued pursuant to Chapter 64, General and Special Laws of the Second Called Session of the Forty-third Legislature, at face value and out of their regular order, authorizing certain things to be done in connection with the refunding of bonds pursuant to Chapter 65, General and Special Laws of the Second Called Session of the Forty-third Legislature, and declaring an emergency."

S. B. No. 56, A bill to be entitled "An Act to amend Article 117, Chapter 6, Revised Civil Statutes of 1925, so as to eliminate compulsory inspection of fruits other than citrus, and vegetables other than potatoes; providing for the adoption of the United States grades for certain fruits and vegetables, and the promulgation of additional grades giving the Commissioner of Agriculture authority to enter into co-operative agreements with the United States Department of Agriculture; and to issue certificates of inspection under said co-operative agreements; and making said certificates of inspection issued by the Commissioner of Agriculture under said co-operative agreements acceptable as prima facie evidence of the true grade, pack, or other requirements or classifications of such fruits and vegetables in any court of this State, and declaring an emergency."

S. B. No. 149, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency."

(With amendments.)

S. B. No. 224, A bill to be entitled "An Act to permit and authorize N. P. Turner, of San Antonio, Texas, to bring and prosecute an action against the State of Texas on a certain contract; fixing the time within which the same may be brought; fixing the venue thereof in Travis County, Texas; providing that any judgment recovered be paid from the State Highway Fund; providing for service of citation; and declaring an emergency."

S. B. No. 285, A bill to be entitled "An Act declaring that it was not the intention of the Forty-third Legislature of Texas in enacting S. B. No. 546, passed at the Regular Session of the Forty-third Legislature, or in enacting Section 7 of S. B. No. 546, passed at the Regular Session of the Forty-third Legislature, to provide that there should never be more than \$466,000.00, par value, of bonds issued out of the \$950,000.00, par value, of bonds authorized by the vote taken in Cameron County Water Control and Improvement District, No. 19 and validated in said Act; and declaring an emergency."

S. B. No. 401, A bill to be entitled "An Act to prohibit the use of certain words in the name of corporations hereafter incorporated under the laws of this State, providing that all charters of companies containing any of such words in their corporate name shall be canceled and forfeited unless an amendment is filed in the manner provided by law or certain permission secured to use said name within ninety (90) days after this Act becomes effective, and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 388.

The following are conferees on the part of the House:

Messrs. Pope, Greathouse, Jones of Atascosa, Young, and James.

The House refused to concur in Senate amendments to House Bill No. 581, and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Messrs. Duvall, Roberts, Steward, Walker, and Wells.

The House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 49.

The following are conferees on the part of the House:

Messrs. Tennyson, Hodges, McFarland, Shofner, and Broyles.

The House has adopted the Conference Committee report on Senate

Bill No. 49 by a vote of 104 ayes, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 476, A bill to be entitled "An Act conferring additional powers upon navigation districts, authorizing navigation districts to charge tolls for the use of its waterways by persons using them for commercial purposes, which waterways are not owned or constructed by the United States as a navigation project; providing that such districts may lease its rights-of-way, spoil basins and other lands for oil, gas and mineral development, providing it does not interfere with the use or development of the project for navigation, and providing the procedure therefor; providing for the sale of any surplus lands owned by such navigation district and prescribing the procedure therefor; providing that such districts may construct turning basins, storage basins and yacht basins and other facilities; providing this act shall be cumulative of all other laws upon the subject of navigation; providing that if any part of this act is held unconstitutional, it will not affect the remainder and declaring an emergency."

(With amendments.)

H. C. R. No. 104, suspending rules 22, 23 and 32 of the Joint Rules of the House and Senate for the purpose of considering in the House until the final disposition thereof House Bill No. 27.

S. B. No. 234, A bill to be entitled "An Act making an emergency appropriation out of the general revenue fund of the State of Texas for the State Department of Education for the balance of the fiscal year ending August 31, 1935; and declaring an emergency."

(With amendments.)

S. B. No. 257, A bill to be entitled "An Act making certain emergency appropriations out of the General

Revenue of the State of Texas to supplement appropriations made by the Regular Session of the Forty-third Legislature for the maintenance and administration of the judiciary to pay expenses of district judges and district attorneys as per Article 6820, R. C. S., and declaring an emergency."

(With amendments.)

S. B. No. 259, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas, to supplement appropriations made by the Regular Session of the Forty-third Legislature for the maintenance and administration of the judiciary, and for traveling expenses of the Judges of the Courts of Civil Appeals when on exchange of benches, to pay deficiency certificates already issued against such appropriations, and declaring an emergency."

S. B. No. 293, A bill to be entitled "An Act making an appropriation of fifteen hundred (\$1500.00) dollars, or so much thereof as may be necessary, out of any money in the State Treasury not otherwise appropriated, to be used by the State Depository Board to pay rent for safety deposit boxes rented by the Board from any bank located in the City of Austin for the purpose of depositing securities, where such obligations for rent have been incurred by the State Depository Board pursuant to Article 2530, Revised Statutes of 1925, as amended by the Acts of the Forty-third Legislature, Regular Session, or as amended by the Acts of the Forty-third Legislature, Second Called Session; and declaring an emergency."

S. B. No. 369, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of six thousand one hundred forty-eight dollars and eighty cents (\$6,148.80) not otherwise appropriated, to cover taxes due by the State of Texas to the Sugar Land Independent School District covering the years from 1918 to 1927, inclusive; and declaring an emergency."

(With amendments.)

S. B. No. 393, A bill to be entitled "An Act making the appropriation out of the general revenue of the State of Texas for the State Board

of Water Engineers to pay the salary of the two (2) assistant engineers for certain supplies, travel expenses and auto maintenance, and declaring an emergency."

(With amendments.)

S. B. No. 494, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State Treasury of the State of Texas for certain State Eleemosynary Institutions for additional support and maintenance of said institutions for the fiscal year ending August 31, 1935; and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act amending Article 590 of the Code of Criminal Procedure of the State of Texas, and declaring an emergency."

S. B. No. 126, A bill to be entitled "An Act to amend Article 1006, Code of Criminal Procedure of Texas, 1925, providing for the compensation of an officer or person executing a fugitive warrant beyond the limits of the State of Texas; repealing all laws in conflict herewith, and declaring an emergency."

(With amendments.)

S. B. No. 17, A bill to be entitled "An Act amending Article 650 of the Code of Criminal Procedure of the State of Texas, and repealing Article 651 and Article 711 of the Code of Criminal Procedure of the State of Texas, and declaring an emergency."

(With amendments.)

S. B. No. 207, A bill to be entitled "An Act amending subdivision 5 of Article 1995 of the Revised Civil Statutes of the State of Texas, 1925, by distinctly specifying that the county for the performance of the obligation which is involved in the suit, must be named by the writing expressly, and declaring an emergency."

S. B. No. 527, A bill to be entitled "An Act to amend Sub-section (m) of Section 7, House Bill No. 2, Chapter 13, Acts of Forty-second Legislature, Third Called Session, as amended by Senate Bill No. 300, Chapter 136, Acts Forty-third Legislature, Regular Session; and declaring an emergency."

S. B. No. 162, A bill to be entitled "An Act requiring all State officials and employees to make bond payable to the State, and providing the

Board of Control shall determine what officials and employees shall make bonds and amounts of such bonds, and providing the Attorney General shall approve such bonds as to form and financial responsibility, and this Act is cumulative of all other existing laws requiring such bonds, and declaring an emergency."

(With amendments.)

S. B. No. 217, A bill to be entitled "An Act to amend H. B. No. 19, Chapter 44, page 98, Acts, First Called Session, Forty-first Legislature, providing for the compensation and hospitalization under certain conditions of certain employees of the State Penitentiary System, repealing all laws in conflict therewith; and declaring an emergency."

S. B. No. 280, A bill to be entitled "An Act authorizing the assessor and collector of taxes, sheriff, or the sheriff and assessor and collector of taxes to administer all oaths necessary for the discharge of the duties of their respective offices, and to administer all oaths necessary in the transaction of the business of their respective offices; and declaring an emergency."

S. B. No. 264, A bill to be entitled "An Act amending Section 7 of Chapter 98 of the Acts of the First Called Session, Forty-third Legislature, so as to provide for paying by lienholders to the person paying such taxes the taxes, cost and interest and receiving transfer to himself of the tax lien, and declaring an emergency."

H. B. No. 49, A bill to be entitled "An Act to amend Article 2956, Revised Civil Statutes of 1925, as amended by the Regular Session of the Forty-second Legislature, and as amended by the Regular Session of the Forty-third Legislature, and declaring an emergency."

H. B. No. 109, A bill to be entitled "An Act amending Article 2270, Chapter 12 of Title 42 of the 1925 Revised Civil Statutes of Texas, relating to the giving of supersedeas bonds, and providing that in lieu thereof the court may permit deposits of money from time to time with the registry of the court, etc., and declaring an emergency."

H. B. No. 139, A bill to be entitled "An Act amending Article 1021, Texas Code of Criminal Procedure of 1925, as amended by Acts 1927, Fortieth Legislature, Chapter 236,

Section 1, relating to salaries and per diem of district attorneys in all judicial districts composed of two or more counties, and providing that such district attorneys shall receive pay for each day of service in the necessary discharge of their official duties, and for each day they represent the State in specified capacities, etc., and declaring an emergency."

H. B. No. 291, A bill to be entitled "An Act fixing the salaries to be paid to county commissioners in counties having a population of not less than 13,540 inhabitants and not more than 13,570 inhabitants, according to the last preceding Federal census, and declaring an emergency."

H. B. No. 303, A bill to be entitled "An Act making it unlawful to shoot at or kill any squirrel, dove, or quail in Rains County, Texas; providing a penalty, and declaring an emergency."

H. B. No. 394, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 532, Chapter 187, General Laws of the Forty-third Legislature, 1933, First Called Session, authorizing the Texas State Parks Board to acquire State park sites by purchase, gift, or otherwise, and to improve, beautify, and equip and to contract with any person, firm, or corporation for the improvement, beautification, or equipment of the State Parks of the State to such an extent as the said board might deem advisable, and extending the authority of such board to purchase such sites for a period of two years from the effective date of this Act, and declaring an emergency."

H. B. No. 641, A bill to be entitled "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two hooks, except artificial bait used with a rod and reel and excepting a twenty-foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said counties, etc., and declaring an emergency."

H. B. No. 682, A bill to be entitled "An Act amending Article 7118 of the 1925 Revised Civil Statutes of the State of Texas, being Section 3 of Chapter 29, page 64, Acts of the Second Called Session of the Thirty-eighth Legislature of the State of

Texas, by adding to the class exempted and taxes under Class 'A' therein, stepchildren of the decedent, and their direct descendants and the direct descendants of adopted children, and by adding a new article to be known as Article 7118a, providing that such classification shall apply in the case of persons now deceased and whose estates have not been appraised for inheritance tax at the time of the passage of this Act, and declaring an emergency."

H. B. No. 689, A bill to be entitled "An Act to repeal Article 952 1-3 of the Penal Code of the State of Texas, the same being the Acts of the Forty-first Legislature, Second Called Session, Chapter 75, page 150, passed in 1929, and declaring an emergency."

H. B. No. 691, A bill to be entitled "An Act to define and regulate 'auto caravans' using the highways of this State outside of the limits of incorporated cities, towns, or villages; placing the jurisdiction of the regulation of such auto caravans in the Railroad Commission of the State of Texas; making it unlawful to operate auto caravans without procuring a permit from the Railroad Commission for each of such caravans; requiring applications to be made by persons desiring to operate such auto caravans upon forms prescribed by the Railroad Commission of Texas; requiring that a remittance of five dollars (\$5) for each one hundred (100) miles or a fraction thereof each vehicle is to be moved shall accompany the application, to be deposited in the State Highway Fund if the permit is issued, but, provided, that said sum of money shall be returned if the permit is not granted, etc., and declaring an emergency."

H. B. No. 757, A bill to be entitled "An Act to amend Chapter 2, of Title 116, of the Revised Civil Statutes of Texas, 1925, by adding to said chapter a new article to be known as 'Article 6711a,' providing that upon application of ten or more resident citizens of counties of the State of Texas having not less than 34,000 nor more than 35,000 population, according to the last Federal Census, or one person living within an enclosure of two thousand (2,000) acres or more in said counties, the commissioners court of said county shall open a road through said enclosure of land, or between different persons or owners of land, or along

any section line, or along any survey line, or along any survey subdivision line, where said land is adjacent or contiguous to public rivers, lakes, or bays in counties of the State of Texas having not less than 34,000 nor more than 35,000 population, according to the last Federal Census, etc., and declaring an emergency."

H. B. No. 773, A bill to be entitled "An Act authorizing the governing body of any incorporated city or town having a population of 290,000 or more, according to the preceding Federal Census, to formulate and devise a pension plan, said pension plan, before becoming effective, to be approved by the qualified electors of such city or town, etc., and declaring an emergency."

H. B. No. 814, A bill to be entitled "An Act repealing Article 941, Penal Code of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, Chapter 119, and as further amended by Acts, 1930, Forty-first Legislature, Fifth Called Session, Chapter 13, Section 1, and declaring an emergency."

H. B. No. 833, A bill to be entitled "An Act amending Article 2880, Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 853, A bill to be entitled "An Act repealing Section 11 of Article 7152, Title 122 of the Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirtieth Legislature, and declaring an emergency."

H. B. No. 857, A bill to be entitled "An Act amending Article 4, Revised Civil Statutes of Texas, 1925, as amended Acts 1927, Fortieth Legislature, page 276, Chapter 194, as further amended by Acts 1932, Forty-second Legislature, Third Called Session, page 96, Chapter 32, and as further amended by Acts 1933, Forty-third Legislature, page 320, Chapter 122, and declaring an emergency."

H. B. No. 869, A bill to be entitled "An Act to repeal Senate Bill No. 215, Chapter 47, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

H. B. No. 946, A bill to be entitled "An Act to amend Section 4, Senate Bill No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and Senate Bill No. 118, Regular Session, Forty-fourth Legislature, and declaring an emergency."

H. B. No. 970, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 12,220 or more than 12,235, according to the last Federal Census, and declaring an emergency."

H. B. No. 977, A bill to be entitled "An Act to amend Article 8197-b, Chapter 8, Title 128, of the Revised Civil Statutes of the State of Texas, as amended by Act of the Forty-first Legislature, Fourth Called Session, page 71, Chapter 34, relating to the issuance of refunding bonds by any district that may have availed itself of the provisions of Article 8195 and become a conservation and reclamation district, and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 982, A bill to be entitled "An Act making it unlawful to use seines or nets except those of certain dimensions of mesh for taking fish from waters in Bastrop County; providing dimensions of mesh of minnow seines; setting the time for use of such nets or seines; repealing all laws in conflict herewith; providing a penalty for violation thereof, and declaring an emergency."

H. B. No. 983, A bill to be entitled "An Act making it unlawful to transport minnows of any and all species outside of the counties wherein such minnows are caught, seined or taken; provided that this Act shall only apply to persons, firms or corporations transporting minnows caught, seined or taken from the waters of the Counties of McCulloch, San Saba, Gillespie, Llano, Kendall, Blanco, Lampasas and Mason; etc., and declaring an emergency."

H. B. No. 985, A bill to be entitled "An Act fixing the fees and salary of the official shorthand reporter of the County Court of Jefferson County at Law, Jefferson County, Texas, and providing the manner of payment; and declaring an emergency."

H. B. No. 987, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to issue surface leases for a term not exceeding 99 years to any University lands located in El Paso County, Texas, and declaring an emergency."

H. B. No. 990, A bill to be entitled "An Act requiring a hunting license of all those over seventeen years of age hunting in certain counties; re-

quiring a fishing license of all those over seventeen years of age fishing in certain counties; fixing the fees for said licenses and the fee to be retained by the collecting officer; etc., and declaring an emergency."

H. B. No. 991, A bill to be entitled "An Act amending Sections 2, 3, 7, and 9 of Chapter 101 of the General and Special Laws of the First Called Session of the Forty-third Legislature, said chapter providing for the creating of a Fireman, Policemen and Fire Alarm Operator's Pension Fund in certain cities and towns having a paid fire, police and fire alarm operator's department, and creating a Board of Trustees for the same and defining the duties and powers of the trustees thereof; etc., and declaring an emergency."

H. B. No. 966, A bill to be entitled "An Act providing for the appointment of a juvenile officer and assistant juvenile officers in counties having a population of more than one hundred and seventy-five thousand, fixing their duties, salaries, and term of office, and declaring an emergency."

S. B. No. 326, A bill to be entitled "An Act amending subdivision (b) of Section 11 of Chapter 116, Acts of the Forty-third Legislature, Regular Session, and declaring an emergency."

(With amendments.)

S. B. No. 341, A bill to be entitled "An Act providing that investigators appointed by district attorneys and criminal districts attorneys shall have the same authority as sheriffs to make arrests in the county where appointed; providing that such investigators shall have authority to serve warrants, capiases, subpoenas and all other processes in criminal cases issued by any district court, county court, or justice court in the State; providing that such investigators shall be under the sole authority and direction of said district attorneys and criminal district attorneys; providing that such investigators shall not draw fees for performing such duties; and declaring an emergency."

(With amendments.)

S. B. No. 365, A bill to be entitled "An Act amending Section 3 of Article 1108, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

S. B. No. 354, A bill to be entitled "An Act to amend the law relating

to Water Improvement Districts by amending Section 21 of Chapter 87 of the General Laws enacted by the Thirty-fifth Legislature of the State of Texas at its Regular Session, in order to better and further define the general powers of such districts by giving to such districts the powers to adopt and promulgate reasonable police ordinances or regulations, defining the limitations thereof and objects to be accomplished thereby; and (a) to give such districts the power to provide by franchise or contracts or toll bridges, ferries or other means of transportation to render service over or upon waters controlled by such districts, limiting the time for which such contracts or franchises may have effect; also authorizing the districts to control the charges or tolls to be exacted for use of the services of such facilities, to the end that same may be reasonable, and requiring that bond be given to secure the faithful performance of any such agreements; and (b) authorizing such districts acting by the boards of directors thereof, to prescribe reasonable penalties for violation of their police regulations (which shall be in addition to any penalties fixed by other law); fixing the limitation of such penalties; prescribing the manner in which such penalties may be judicially enforced (all as provided for in the amended Act, and in addition thereto); requiring publication and promulgation of any such regulatory ordinances for the time and in the manner prescribed in this Act before said ordinances may take effect; and (c) authorizing such districts to establish and maintain their own peace officers, with authority to make arrests upon any land, water or easement owned or controlled by the district (as provided by the amended section), and hereby to authorize such arrest at any place, in case of offenses involving injury to any property owned or controlled by the district; and (d) embracing the facts constituting an emergency, declaring the same and providing for the immediate effectiveness of this act."

S. B. No. 510, A bill to be entitled "An Act providing for relief for the Independence Common School District of Henderson and Kaufman Counties, Texas, in order to aid said District in rebuilding its properties and equipping its school which was destroyed by fire on the fourth day of March, A. D. 1935; providing for

work relief; making an appropriation to said District for said property; and declaring an emergency." (With amendments.)

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

H. B. No. 438	S. B. No. 293
H. B. No. 584	S. B. No. 496
H. B. No. 874	S. B. No. 520
H. B. No. 566	S. B. No. 455
H. B. No. 668	S. B. No. 259
H. B. No. 834	S. B. No. 224
H. B. No. 77	S. B. No. 476
S. B. No. 285	S. C. R. No. 50
S. B. No. 56	

Bills Referred.

H. B. No. 946 was referred to the Committee on Civil Jurisprudence.

H. B. No. 585 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 394 was referred to the Committee on Public Lands.

H. B. No. 303 was referred to the Committee on Game and Fish.

H. B. No. 291 was referred to the Committee on Game and Fish.

H. B. No. 139 was referred to the Committee on State Affairs.

H. B. No. 109 was referred to the Committee on Civil Jurisprudence.

H. B. No. 49 was referred to the Committee on Privileges and Elections.

H. B. No. 970 was referred to the Committee on State Affairs.

H. B. No. 869 was referred to the Committee on Public Health.

H. B. No. 857 was referred to the Committee on Civil Jurisprudence.

H. B. No. 853 was referred to the Committee on State Affairs.

H. B. No. 833 was referred to the Committee on Educational Affairs.

H. B. No. 814 was referred to the Committee on Game and Fish.

H. B. No. 773 was referred to the Committee on Towns and City Corporations.

H. B. No. 757 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 691 was referred to the Committee on Highways and Motor Traffic.

H. B. No. 689 was referred to the Committee on Game and Fish.

H. B. No. 682 was referred to the Committee on State Affairs.

H. B. No. 641 was referred to the Committee on Game and Fish.

H. B. No. 991 was referred to the Committee on Towns and City Corporations.

H. B. No. 990 was referred to the Committee on Game and Fish.

H. B. No. 987 was referred to the Committee on Public Lands.

H. B. No. 985 was referred to the Committee on Civil Jurisprudence.

H. B. No. 983 was referred to the Committee on Game and Fish.

H. B. No. 982 was referred to the Committee on Game and Fish.

H. B. No. 977 was referred to the Committee on Civil Jurisprudence.

H. B. No. 966 was referred to the Committee on Civil Jurisprudence.

Senate Bill No. 126.

Senator Hornsby moved that the Senate do concur in House amendments to S. B. No. 126.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—1.

DeBerry.

Absent—Excused.

Fellbaum. Van Zandt.

Senate Bill No. 257.

Senator Redditt moved that the Senate do concur in House amendments to S. B. No. 257.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Cotten.
Blackert.	Davis.
Burns.	DeBerry.
Collie.	Duggan.

Hill.
Holbrook.
Hopkins.
Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.

Rawlings.
Redditt.
Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Westerfeld.
Woodruff.

Absent—Excused.

Fellbaum. Van Zandt.

Senate Bill No. 179.

Senator Redditt moved that the Senate do not concur in House amendments to S. B. No. 179 but that a Conference Committee be appointed to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate, on S. B. No. 179: Senators Poage, Holbrook, Redditt, Oneal and Sulak.

Senate Bill No. 162.

Senator Beck moved that the Senate do not concur in House amendments to S. B. No. 162 but that a Conference Committee be appointed to adjust the differences between the two Houses.

The motion prevailed by viva voce vote.

Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on S. B. No. 162:

Senators Collie, Martin, Beck, Sanderford, and Hopkins.

Senate Bill No. 510.

Senator Cotten moved that the Senate do concur in House amendments to S. B. No. 510.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Davis.
Blackert.	Duggan.
Burns.	Hill.
Cotten.	Holbrook.

Hopkins.	Regan.
Hornsby.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Pace.	Sulak.
Poage.	Van Zandt.
Rawlings.	Westerfeld.
Redditt.	Woodruff.

Nays—4.

Collie.	Isbell.
DeBerry.	Oneal.

Absent—Excused.

Fellbaum.

Senate Bill No. 326.

Senator Shivers moved that the Senate do concur in House amendment to S. B. No. 326.

The motion prevailed by the following vote:

Yeas—25.

Beck.	Neal.
Blackert.	Pace.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Woodruff.
Moore.	

Nays—3.

DeBerry.	Westerfeld.
Hill.	

Present—Not Voting.

Oneal.	Poage.
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Absent—Excused.

Fellbaum.

House Bill No. 479.

Senator Burns moved to print on minority report H. B. No. 479 and spread the motion on the Journal.

Senate Bill No. 529.

Senator Hornsby received unanimous consent to suspend the regular order and sent up the following local bill:

By Senator Hornsby, by request:
S. B. No. 529, A bill to be entitled "An Act creating the County Court at Law of Travis County, Texas; defining the jurisdiction of said court; regulating practice therein; prescribing the terms of said court; providing for clerk and seal for said court and prescribing the duties of the sheriff and county attorney in relation to said court, limiting the jurisdiction of the county court of Travis County, and providing for the transfer of cases pending in the county court of Travis County to the said court hereby created, and for appeals from inferior courts to the court hereby created, and for appeals from said court; creating the office of judge of the County Court at Law of Travis County; providing for the appointment, election, bond and salary of the judge of said court and prescribing his qualifications; providing for a special judge; providing for the disposition of fees; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Motion to Suspend Rule.

Senator Redditt received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—30.

Beck.	Néal.
Blackert.	Onéal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Senate Bill No. 530.

By Senator Redditt.
S. B. No. 530, A bill to be entitled

"An Act making an emergency appropriation of \$5,000.00 out of the Special departmental maintenance tax for the Fire Insurance Division of the Board of Insurance Commissioners and declaring an emergency."

Read and referred to the Committee on Finance.

S. C. R. No. 43.

Senator Small moved that the Senate do concur in House amendments to S. C. R. No. 43.

The motion prevailed by viva voce vote.

Recess.

The motion to recess prevailed at 5:27 o'clock p. m.

After Recess.

The Senate met at 8 o'clock p. m. pursuant to recess and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 166.

Senator Cotten received unanimous consent to suspend the regular order and take up H. B. No. 166.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Morrison and Mr. Holland:
H. B. No. 166, A bill to be entitled "An Act amending Article 3832, Title 57, 1925, Revised Civil Statutes of the State of Texas, adding thereto other forms and kinds of personal property that shall be reserved to every family, exempt from attachment or execution and every other species of forced sale for the payment of debts, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Cotten the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 166 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Burns.
Blackert.	Collie.

Cotten.	Pace.
Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 178.

Senator Davis received unanimous consent to suspend the regular order and take up H. B. No. 178.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Luker:

H. B. No. 178, A bill to be entitled "An Act to amend Section 1, Chapter 56, Acts of the Fortieth Legislature, Article 7589a, Vernon's Revised Civil Statutes, respecting the diversion of the natural flow of surface waters or permitting such diversion to continue or impound such waters or permit the impounding thereof to continue in such manner to damage property of another by the overflow of such diverted or impounded waters and providing for damages at law and in

equity occasioned thereby, and providing that this Act shall in no way affect the construction and maintenance of levees or other improvements for controlling overflows and freshets in rivers, etc."

The Committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Davis the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 178 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 496.

Senator Duggan received unanimous consent to suspend the regular order and take up H. B. No. 496.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Alexander:

H. B. No. 496, A bill to be entitled "An Act authorizing county boards of school trustees to abolish and/or subdivide common school districts having fewer than ten scholastics and not having conducted a school for a period of five years; providing for the adjustment of bonded indebtedness and the distribution of funds; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 496 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
Duggan.	Pace.
Hill.	Poage.
Holbrook.	Rawlings.
Hopkins.	Redditt.

Regan.
Sanderford.
Shivers.
Small.
Stone.

Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 344.

Senator Hornsby received unanimous consent to suspend the regular order and take up H. B. No. 344.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Dwyer:

H. B. No. 344, A bill to be entitled "An Act to amend Section eleven (11) of the Acts of 1927, Fortieth Legislature, Regular Session, Chapter 22, page 26, House Bill No. 80, as amended by the Acts of 1933, Forty-third Legislature, Chapter 50, page 61, Special Laws, House Bill No. 435, so as to provide by this Act, and as an amendment of said Act of the Forty-third Legislature, that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall not be required to furnish bonds, but shall each take the oath of office prescribed by the Constitution of Texas, and that certain fees shall be collected by the clerk of said courts and by him paid into the county treasury of Bexar County, Texas, and that the two judges of the County Courts at Law Nos. 1 and 2, of Bexar County, Texas, shall each receive an annual salary of five thousand dollars (\$5,000), and providing for the payment of said salaries, etc., and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 344 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

DeBerry. Fellbaum.

House Bill No. 349.

Senator Hill received unanimous consent to suspend the regular order and take up H. B. No. 349.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Gibson:

H. B. No. 349, A bill to be entitled "An Act amending Section 6a, Article 3883, Revised Civil Statutes of Texas, 1925, as amended by Chapter 59, page 123, Acts of the Forty-third Legislature, Second Called Session, providing for the fees of office that may be retained by certain precinct officers in certain counties, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hill the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 349 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 975.

Senator DeBerry received unanimous consent to suspend the regular order and take up H. B. No. 975.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Bourne:

H. B. No. 975, A bill to be entitled "An Act amending Section or Subdivision 102 of Article 199 of the Revised Civil Statutes of Texas of 1925, as amended by the Forty-third Legislature, Regular Session, Chapter 253, page 885, and changing the times of holding the terms of court of the District Court of the One Hundred and Second Judicial District of Texas; etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator DeBerry the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 975 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Duggan.
Blackert.	Hill.
Burns.	Holbrook.
Collie.	Hopkins.
Cotten.	Hornsby.
Davis.	Isbell.
DeBerry.	Martin.

Moore.	Sanderford.
Neal.	Shivers.
Oneal.	Small.
Pace.	Stone.
Poage.	Sulak.
Rawlings.	Van Zandt.
Redditt.	Westerfeld.
Regan.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 312.

Senator Holbrook received unanimous consent to suspend the regular order of business and take up H. B. No. 312.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 312, A bill to be entitled "An Act to amend Article 4758 of the Revised Civil Statutes of 1925, providing for the deposit of securities or the payment of taxes, fines, penalties, certificates of authority, valuation of policies, licenses, fees or any other special burden by an insurance corporation, fraternal beneficiary society or reciprocal exchange organized in a State, the laws of which require similar deposits in said State by similar companies organized under the laws of the State of Texas and transacting business in said State, etc., and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Holbrook the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 312 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Moore
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 578.

Senator Hornsby received unanimous consent to suspend regular order and take up H. B. No. 578.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Fox:

H. B. No. 578, A bill to be entitled "An Act amending Article 2550 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 201, Acts of the Regular Session of the Forty-third Legislature, authorizing and providing for county depositories for county funds, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 578 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Collie.
Blackert.	Cotten.
Burns.	Davis.

DeBerry.	Poage.
Duggan.	Rawlings.
Hill.	Redditt.
Holbrook.	Regan.
Hopkins.	Sanderford.
Hornsby.	Shivers.
Isbell.	Small.
Martin.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Nays—1.

Oneal.

Absent—Excused.

Fellbaum.

House Bill No. 735.

Senator Isbell received unanimous consent to suspend the regular order and take up H. B. No. 735.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Burton:

H. B. No. 735, A bill to be entitled "An Act granting Mrs. Harriet B. Hagy, a feme sole, and Miss Geraldine Hagy, a feme sole, permission to bring suit against the State of Texas in the District Court of Collin County, Texas, for damages in the sum of \$950, alleged to have been sustained by reason of the relocation of State Highway No. 6 through their property located in Collin

County, Texas; etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Isbell the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 735 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 320.

Senator Martin received unanimous consent to suspend the regular order and take up H. B. No. 320.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Lemens:

H. B. No. 320, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, common consolidated school districts, consolidated independent school districts, county line school districts, and rural high school districts, whether created by general or special law or by county boards of trustees, etc., and declaring an emergency."

Senator Duggan sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 150, page 1, Section 1, line 18, by striking out the words "county line school districts" in said line 18 and inserting in lieu thereof the following:

"All county line school districts including, county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts."

DUGGAN.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 320, Section 2, by inserting the following after the word "authorities":

"provided, however, if and when any such litigation shall be finally terminated, in a manner favorable to such district, then this Act shall apply thereto."

DUGGAN.

Read and adopted.

Amendment No. 3.

Amend H. B. No. 320, Section 1, by adding a comma after the word "validated" at the end of the last line 32 the following:

"and all school districts herein mentioned are hereby authorized and empowered to levy, assess and collect the same rate of tax as is now being levied, assessed and collected therein and heretofore authorized or attempted to be authorized by any act or acts of said district, or by any Act, whether General or Special,

of the Legislature" and amend caption to conform.

SMALL.

Read and adopted.

Amendment No. 4.

Amend the caption to conform to the body of the bill.

MARTIN.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Martin the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 320 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Moore.
Blackert.	Neal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Isbell.	Westerfeld.
Martin.	Woodruff.

Nays—2.

DeBerry.	Sanderford.
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Present—Not Voting.

Oneal.

Poage.

Absent—Excused.

Fellbaum.

Message from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 405, A bill to be entitled "An Act amending Article 1019a of the Code of Criminal Procedure of the State of Texas, enacted as Chapter 200, Acts of the Forty-second Legislature, 1931, providing for fees of officers in certain cases, and declaring an emergency."

S. B. No. 516, A bill to be entitled "An Act authorizing the Judge of the Criminal District Court of Bexar County, Texas, to transfer criminal cases to the 37th, 45th, 57th and 73rd District Courts, Bexar County, Texas, describing the procedure therefor and the duty of the district clerk in relation thereto, and providing that all writs, processes, bonds and recognizances in such cases so transferred shall be transferred with said cases and be as binding in the court to which the case or cases are transferred as in the court in which same were originally issued, and declaring an emergency."

S. B. No. 525, A bill to be entitled "An Act to reorganize the 87th Judicial District of Texas, to be constituted of Limestone, Freestone and Anderson Counties, Texas, and to provide for the terms thereof; and declaring an emergency."

S. B. No. 513, A bill to be entitled "An Act granting to A. T. Sayers, and as next friend for Leonard Sayers, a minor, of San Antonio, Bexar County, Texas, permission to bring suit against the State of Texas and/or the State Highway Department in the District Court of Bexar County, Texas, for damages sustained to his automobile and for personal

injuries to said Leonard Sayers, on account of the negligence of an employee of the State Highway Department; providing for place of venue; providing such suit may be filed within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit; and declaring an emergency."

S. B. No. 524, A bill to be entitled "An Act to provide for fees for constables whose precincts lie in counties having a population of more than 200,000 and less than 300,000 by the last preceding Federal census and whose precincts lie in whole or in part in an incorporated city or town having a population of more than 10,000 by the last preceding Federal census, such fees to be the same as those now allowed to sheriffs and like fees allowed such officers in all cases where the defendant is convicted or pleads guilty and declaring an emergency."

H. B. No. 27, A bill to be entitled "An Act authorizing and requiring the governing board of The University of Texas, the Agricultural and Mechanical College of Texas, the State Teachers Colleges, the College of Arts and Industries and the College of Industrial Arts at Denton to establish and maintain at each institution under the control of such board a bookstore, etc., and declaring an emergency."

H. B. No. 832, A bill to be entitled "An Act amending Article 5142 of the Revised Civil Statutes, 1925, as amended by the Acts of the Fortieth Legislature, page 335, Chapter 228, and Article 5142-a, Acts 1931, Forty-second Legislature, page 759, Chapter 302; providing for juvenile officers; providing for their selection, compensation, expenses, and prescribing their duties and authorities; etc., and declaring an emergency."

Respectfully Submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 946.

Senator Hopkins received unanimous consent to suspend the regular order and take up H. B. No. 946.

The Chair laid before the Senate the following bill:

By Mr. Dunlap:

H. B. No. 946, A bill to be entitled "An Act to amend Section 4, Senate

Bill No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and Senate Bill No. 118, Regular Session, Forty-fourth Legislature, and declaring an emergency."

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 946 was put on its second reading by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hopkins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 946 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nays—1.

DeBerry.

Absent—Excused.

Fellbaum.

House Bill No. 902.

Senator Moore received unanimous consent to suspend the regular order and take up H. B. No. 902.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Howard, et al.:

H. B. No. 902, A bill to be entitled "An Act amending Article 1058 under Title 15 of the Code of Criminal Procedure, Revised Statutes of 1925, et seq.; increasing the salaries of bailiffs or deputy sheriffs in certain counties for service as grand jury bailiff or as deputy sheriff; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted unanimously.

The bill was read second time as amended and passed to third reading.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 902 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 439.

Senator Neal received unanimous consent to suspend the regular order and take up H. B. No. 439.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Petsch:

H. B. No. 439, A bill to be entitled "An Act to amend Section 14, Chapter 186, S. B. No. 74, passed at the Regular Session, Thirty-ninth Legislature, as amended by Chapter 10, S. B. No. 24, passed at the Third Called Session, Forty-first Legislature, as amended by Chapter 79, S. B. No. 82, passed at the Fifth Called Session, Forty-first Legislature, as amended by Chapter 207, S. B. No. 531, passed at the Regular Session, Forty-third Legislature, so as to correct the reference to Article 6674n, in Section 1, Chapter 207, Acts of Regular Session, Forty-third

Legislature, and making same refer to Section 14, Chapter 186, S. B. No. 74, passed at the Regular Session Thirty-ninth Legislature; and declaring an emergency."

(With committee amendments.)

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

"Amend the caption to conform."

NEAL.

Adopted.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 439 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Nay—1.

Cotten.

Absent—Excused.

Fellbaum.

House Bill No. 115.

Senator Sulak received unanimous consent to suspend the regular order of business and take up H. B. No. 115.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Roark:

H. B. No. 115, A bill to be entitled "An Act to amend Article 1580, Chapter 5, Title 18, of the Revised Criminal Statutes of Texas, 1925, relating to the hours of labor on public work; repealing Article 5166, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Sulak the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 115 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Lavis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Stone.
Holbrook.	Sulak.
Hopkins.	Small.
Hornsby.	Poage.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Davis.
Blackert.	Duggan.
Burns.	Hill.
Collie.	Holbrook.
Cotten.	Hopkins.

Hornsby.
Isbell.
Martin.
Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.

Regan.
Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Nays—1.

DeBerry.

Absent—Excused.

Fellbaum.

House Bill No. 838.

Senator Pace received unanimous consent to suspend the regular order of business and take up H. B. No. 838.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Broyles:

H. B. No. 838, A bill to be entitled "An Act to declare a closed season on the killing of quail and bobwhites in Van Zandt County for a period ending January 15, 1937, prescribing a penalty therefor, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Pace the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 838 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 4.

Senator Poage received unanimous consent to suspend the regular order of business and take up H. B. No. 4.

The Chair laid before the Senate on its second reading the following bill:

By Messrs. Shofner, Fox, Butler of Brazos, Rutta, Herzik and Cagle:

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 210, Acts of the Regular Session of the Forty-first Legislature, empowering the State Textbook Commission to adopt a multiple list of textbooks in German and Czech languages for use in high schools; commercial arithmetic, and bookkeeping in the English language, and also other high school texts on such other subjects for use in junior high schools as may be determined by a seven-ninths vote of said commission, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 4 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 820.

Senator Rawlings received unanimous consent to suspend the regular order of business and take up H. B. No. 820.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Greathouse:

H. B. No. 820, A bill to be entitled "An Act amending Title 26 of the Revised Civil Statutes of Texas, of 1925, as amended by Chapter 66, H. B. No. 122, of the General and Special Laws of the Forty-third Legislature, Second Called Session, page 146; amending Article 925-a of said

H. B. No. 122 by providing that a perpetual care cemetery association or corporation in operation on March 15, 1934, shall be regarded as legal under its organization plan under said Title 26, etc., and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee amendments were adopted unanimously.

The bill was read second time as amended and passed to third reading.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 820 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 911.

Senator Redditt received unanimous consent to suspend the regular order of business and take up H. B. No. 911.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Glass:

H. B. No. 911, A bill to be entitled "An Act providing that it shall be unlawful to take or kill squirrel in Cherokee County during certain months; providing penalty for the violation thereof, and declaring an emergency."

(With committee amendments.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendments were adopted.

The bill was read second time as amended and passed to third reading.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 911 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Burns.
Blackert.	Collie.

Cotten.	Pace.
Davis.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Hill.	Regan.
Holbrook.	Sanderford.
Hopkins.	Shivers.
Hornsby.	Small.
Isbell.	Stone.
Martin.	Sulak.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 469.

Senator Regan received unanimous consent to suspend the regular order of business and take up H. B. No. 469.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Clayton:

H. B. No. 469, A bill to be entitled "An Act to amend Sections 34, 41, 65 (so noted in the Revised Civil Statutes of Texas), Article 199, Title 8, of the Revised Civil Statutes of Texas, and Chapter 92, General Laws of the Forty-first Legislature, Regular Session, changing the time of holding the terms of the District Courts of the Thirty-fourth, Forty-first, and Sixty-fifth Judicial Districts of Texas, and permitting the continuing of the terms of court in Hudspeth and Culberson Counties by the court, and repealing all laws and parts of laws in conflict herewith and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Regan the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 469 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Davis.
Blackert.	DeBerry.
Burns.	Duggan.
Collie.	Hill.
Cotten.	Holbrook.

Hopkins.	Redditt.
Hornsby.	Regan.
Isbell.	Sanderford.
Martin.	Shivers.
Moore.	Small.
Neal.	Stone.
Oneal.	Sulak.
Pace.	Van Zandt.
Poage.	Westerfeld.
Rawlings.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 912.

Senator Sanderford received unanimous consent to suspend the regular order of business and take up H. B. No. 912.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Head:

H. B. No. 912, A bill to be entitled "An Act prohibiting taking, killing, or possessing wild foxes for the purpose of barter or sale, providing a penalty for the violation thereof, in certain counties, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Sanderford the constitutional rule requiring bills to be read on three several days was

suspended and H. B. No. 912 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Personal Privilege.

Senator Oneal rose to a point of personal privilege.

Senator Poage rose to a point of personal privilege.

Senator DeBerry spoke on a point of privilege.

Senator Westerfeld rose to a point of personal privilege.

House Bill No. 608.

Senator Shivers received unanimous consent to suspend the regular order of business and take up H. B. No. 608.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Nicholson:

H. B. No. 608, A bill to be entitled "An Act to amend Section 10 of Chapter 42 of the Acts of the Forty-third Legislature, Regular Session, pages 49-50, amending Section 10 of Chapter 42, with reference to the salary to be paid the deputy clerk of the County Court at Law of Jefferson County; providing that if any part of this Act be declared invalid the remainder of the Act shall not be affected, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Shivers the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 608 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Hill.
Blackert.	Holbrook.
Burns.	Hopkins.
Collie.	Hornsby.
Cotten.	Isbell.
Davis.	Martin.
DeBerry.	Moore.
Duggan.	Neal.

Oneal.	Shivers.
Pace.	Small.
Poage.	Stone.
Rawlings.	Sulak.
Redditt.	Van Zandt.
Regan.	Westerfeld.
Sanderford.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 426.

Senator Small received unanimous consent to suspend the regular order of business and take up H. B. No. 426.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Rogers:

H. B. No. 426, A bill to be entitled "An Act declaring a closed season for a period of five years in which it shall be unlawful to hunt, take, or kill quail and prairie chicken in the Counties of Lipscomb and Hemphill, and fixing penalties, and declaring an emergency."

Senator Small sent up the following amendments:

Amendment No. 1.

Amend H. B. No. 426 by striking out all of Section 1 and adding a new Section 1 with subdivisions (a) and (b) as follows:

Section 1 (a). It shall be unlawful for any person to hunt, take, capture, kill or possess any quail in Hemphill and Lipscomb Counties for a period of five (5) years from and after the effective date of this Act.

(b) It shall be unlawful for any person to hunt, take, capture, kill or possess any prairie chickens and pinnated grouse in Collingsworth, Donley, Wheeler, Gray, Hemphill, and Lipscomb Counties for a period of five (5) years from and after the effective date of this Act.

SMALL.

Read and adopted.

Amendment No. 2.

Amend H. B. No. 426 by striking out of Section 3 the words "Hemphill and Lipscomb" and add in lieu thereof "the above named counties," and amend caption to conform.

SMALL.

Read and adopted.

The committee report recommend-

ing that the bill be not printed was adopted by unanimous consent.

The amendments were adopted.

The bill was read second time and passed to third reading.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 426 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 936.

Senator Stone received unanimous consent to suspend the regular order and take up H. B. No. 936.

The Chair laid before the Senate the following bill which had been read second time and laid on the table subject to call:

By Mr. Fuchs:

H. B. No. 936, A bill to be entitled "An Act making it unlawful to take squirrels in Washington County at any time other than during the months of May, June, July, October, November, and December, or to take more than ten squirrels in one day or to possess more than twenty squirrels at one time; providing a penalty; repealing all laws in conflict with this Act, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill passed to third reading.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 936 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 101.

Senator Sulak received unanimous consent to suspend the regular order and take up H. B. No. 101.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Young:

H. B. No. 101, A bill to be entitled "An Act amending Article 879 and Article 879b of Chapter 6, Title 13, Revised Criminal Statutes of Texas 1925, as amended by Acts of the Fortieth Legislature, page 316, Chapter 215, and amended by Acts of the Fourth Called Session of the Forty-first Legislature, page 29, Chapter 19, providing an open season or period of time when it shall be lawful to hunt, take, or kill wild mourning doves, wild quail of all kinds and wild Mexican pheasants, or chachalaca, in the North and South Zones as such zones are defined in Article 878 of the Revised Penal Code, etc., and declaring an emergency."

(With committee substitute.)

The committee report recommending that the bill be printed was adopted by unanimous consent.

The committee substitute was adopted.

The bill was read second time as substituted and passed to third reading.

On motion of Senator Sulak the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 101 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Holbrook.
Blackert.	Hopkins.
Burns.	Hornsby.
Collie.	Isbell.
Cotten.	Martin.
Davis.	Moore.
DeBerry.	Neal.
Duggan.	Oneal.
Hill.	Pace.

Poage.	Small.
Rawlings.	Stone.
Redditt.	Sulak.
Regan.	Van Zandt.
Sanderford.	Westerfeld.
Shivers.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 866.

Senator Van Zandt received unanimous consent to suspend the regular order and take up H. B. No. 866.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Adamson:

H. B. No. 866, A bill to be entitled "An Act to amend Article 1302, Revised Civil Statutes of Texas, 1925, by adding a new section, to be known as 95-b, to provide for the creation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of cleaning, pressing and dyeing clothing and other materials, and declaring an emergency."

Amend H. B. No. 866 by striking out all after the enacting clause down to the word "corporations" and inserting before same the words and figures "Section 1," and amend caption to conform.

VAN ZANDT.

Read and adopted.

Amend caption to conform to body of bill.

VAN ZANDT.

Adopted.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time as amended and passed to third reading.

On motion of Senator Van Zandt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 866 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 200.

Senator Westerfeld received unan-

imous consent to suspend the regular order and take up H. B. No. 200.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Colquitt:

H. B. No. 200, A bill to be entitled "An Act to amend Article 211 of Title 5, of the Revised Criminal Statutes of 1925, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Westerfeld the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 200 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Westerfeld.
Martin.	Woodruff.
Moore.	

Nays—1.

Van Zandt.

Absent—Excused.

Fellbaum.

House Bill No. 841.

Senator Woodruff received unanimous consent to suspend the regular order and take up H. B. No. 841.

The Chair laid before the Senate on its second reading the following bill:

By Mr. McConnell:

H. B. No. 841, A bill to be entitled "An Act to declare a five (5) year closed season on wild fox in Palo Pinto County and making it unlawful to kill, take, or for anyone to have in his possession for barter or sale, after the passage of this Act, any wild fox or the pelts thereof; providing for a penalty for the violation of this Act, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 841 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Blackert.
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Burns.	Oneal.
Collie.	Pace.
Cotten.	Poage.
Davis.	Rawlings.
DeBerry.	Redditt.
Duggan.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 976.

Senator Beck received unanimous consent to suspend the regular order and take up H. B. No. 976.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Beck:

H. B. No. 976, A bill to be entitled "An Act amending Section or Subdivision 5 of Article 199 of the Revised Civil Statutes of 1925, as amended by Acts of the Forty-third Legislature, Regular Session, Chapter 254, page 887, and changing the times of holding the terms of court of the District Court of the Fifth Judicial District of Texas; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 976 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Hornsby.
Blackert.	Isbell.
Burns.	Martin.
Collie.	Moore.
Cotten.	Neal.
Davis.	Oneal.
DeBerry.	Pace.
Duggan.	Poage.
Hill.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.

Sanderford.	Sulak.
Shivers.	Van Zandt.
Small.	Westerfeld.
Stone.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

House Bill No. 270.

Senator Burns received unanimous consent to suspend the regular order and take up H. B. No. 270.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Palmer, Mr. Huddleston, and Mr. Ash:

H. B. No. 270, A bill to be entitled "An Act to amend Article 1659, Chapter 6, Title 19, of the Revised Criminal Statutes of the State of Texas, 1925, relating to separate coaches for the accommodation of white and negro passengers so as to include commercial motor vehicles within the terms of the Act, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Burns the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 270 was put on its third reading and final passage by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Read third time and finally passed
by the following vote:

Yeas—30.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Isbell.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Motion to Recess.

Senator Martin, at 10:40 o'clock
p. m., moved that the Senate recess
until 10 a. m., Friday.

Motion to Adjourn.

Senator Hopkins moved that the
Senate adjourn until 10 a. m., Fri-
day.

The motion to adjourn lost.

Recess.

The motion to recess prevailed.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 527
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 525
carefully examined and compared
and find same correctly engrossed.

DAVIS, Chairman.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 224
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 259
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 455,
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 520
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 496
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 293
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 56
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 285
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 1, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. C. R. No. 50
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 476
carefully examined and compared
and find same correctly enrolled.

POAGE, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on
Labor to whom was referred

H. B. No. 155, A bill to be entitled
"An Act to amend Sections 1, 2 and
4 of Chapter 45, Acts of the Forty-
third Legislature, Regular Session,
relating to the wages paid on public
work, and declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-

port it back to the Senate with the
recommendation that it do pass and
be not printed.

SHIVERS, Vice Chairman.

Committee Room,
Austin, Texas, May 1, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on High-
ways and Motor Traffic, to whom was
referred

H. B. No. 439, A bill to be entitled
"An Act to amend Article 6674-n,
Revised Civil Statutes of Texas, of
1925, as amended by Chapter 207,
Senate Bill No. 531, passed at the
Regular Session, Forty-third Leg-
islature, General Laws, Page 622;
conferring upon the State Highway
Commission the right of eminent do-
main acting by and through the At-
torney General of the State of Texas,
to condemn land for right of way
in connection with the construction
of a designated State Highway; etc.,
and declaring an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass with
committee amendments and be not
printed.

HOPKINS, Chairman.

Committee Amendment No. 1.

Amend House Bill No. 439 by
striking out all of the latter part of
Section 1 thereof, after the period
following the number 1925 in line
47, page 2 of the printed bill.

Committee Amendment No. 2.

Amend the caption of the bill to
read as follows:

An Act to amend Article 6674-n,
Revised Civil Statutes of Texas,
of 1925, as amended by Chapter
207, Senate Bill No. 531, passed
at the Regular Session, Forty-
third Legislature, General Laws,
Page 622; conferring upon the
State Highway Commission the
right of eminent domain acting
by and through the Attorney Gen-
eral of the State of Texas, to con-
demn land for right of way in
connection with the construction
of a designated State Highway;
providing for filing of suits by
the State Highway Commission,
acting by and through the Attor-

ney General of the State of Texas, in Travis County for the purpose of securing such right of way; providing for following same procedure in Travis County as set out in Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, of 1925; limiting the right of the State Highway Commission to condemn such right of way to cases where the commissioners' court has failed or refused to acquire such right of way by purchase or condemnation; repealing all laws or parts of laws in conflict herewith; providing that should any part of this Act be held to be unconstitutional or void same shall not affect the remainder hereof, and declaring an emergency.

Committee Room,
Austin, Texas, April 30, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 19, A bill to be entitled "An Act requiring the filing of all leases, assignment of leases or releases of oil or gas under any school or asylum land in which the State has a reservation of minerals in the General Land Office of Texas, etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment.

REGAN, Chairman.

Committee Amendment.

Amend House Bill No. 19 in line 4 of Section 1, by striking out the words and figures "ninety (90) days" and inserting in lieu thereof the words and figures "six (6) months."

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 66, A bill to be entitled "An Act amending Section 3, House Bill No. 578, Chapter 153, as passed by the Acts of the Regular Session, Forty-third Legislature, 1933, as amended by House Bill No. 20,

Chapter 90, Section 3, Acts Forty-third Legislature, 1933, First Called Session, providing that the payment of cigarette tax shall be evidenced by stamps furnished by the Treasurer, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendments One and Two, and be not printed, for the reason said bill has heretofore been printed.

REDDITT, Chairman.

Committee Amendment No. 1.

Amend House Bill 66 by striking out of Section 3, the following paragraph:

"From the effective date of this Act all of the revenue derived from this tax shall be credited to the Available School Fund of the State of Texas until September 1, 1937, and thereafter one-half of the revenue shall be credited to the General Fund of the State and one-half to the Available School Fund."

And substituting in lieu thereof, the following:

"From the effective date of this Act, two-thirds of the revenue derived from this Act shall be credited to the Available School Fund of the State of Texas and one-third of the revenue derived from this Act shall be credited to the General Fund of the State of Texas."

Committee Amendment No. 2.

Amend the caption of House Bill No. 66 to conform.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 735, A bill to be entitled "An Act granting Mrs. Harriet B. Hagy, a feme sole, and Miss Geraldine Hagy, a feme sole, permission to bring suit against the State of Texas in the District Court of Collin County, Texas, for damages in the sum of Nine Hundred and Fifty Dollars (\$950), alleged to have been sustained by reason of the relocation, construction and maintenance of State Highway No. 6 through their property located in Collin County,

Texas; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and the procedure governing the trial and determination of such suit, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 526, a bill to be entitled "An Act transferring the use and possession of 16.66 acres of land out of the George W. Spear Headright League adjoining Camp Mabry in Travis County, Texas, title to which is now in the State of Texas, authorizing the Highway Department to pay to the Adjutant General's Department the sum of Thirty-two Hundred (\$3200.00) Dollars, making an appropriation to the Adjutant General's Department of such sum so received, and authorizing the Adjutant General's Department to purchase for the State of Texas a suitable right-of-way and entrance to Camp Mabry, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 442, A bill to be entitled "An Act to fix the salaries and compensation of County Commissioners in counties with a population of not less than nine thousand, seven hundred and ten (9,710) inhabitants, nor more than nine thousand, seven hundred and twenty-five (9,725) inhabitants according to the last Federal Census, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as

amended by committee amendment No. 1, and be not printed.

PACE, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 442 by adding at the end of Section 1 the following:

"That the salaries and compensation of each of the county commissioners in counties with a population not less than thirteen thousand, six hundred and thirty-six (13,636) inhabitants, nor more than thirteen thousand, six hundred and fifty (13,650) inhabitants according to the last Federal Census as to population, and counties with a population of not less than seventeen thousand, five hundred and fifty-four (17,554) inhabitants, nor more than seventeen thousand, six hundred (17,600) inhabitants according to the last Federal Census as to population, shall be Fifteen Hundred Dollars (\$1500.00) per annum, payable in equal monthly installments of One Hundred and Twenty-five Dollars (\$125.00)."

Amend the caption of the bill to conform hereto.

Committee Amendment No. 2.

Amend H. B. No. 442 by adding a new Section to be known as Section 1a to read as follows:

"Sec. 1a. That the salaries and compensation of each of the county commissioners in counties with a population not less than twelve thousand, two hundred and twenty (12,220) inhabitants, nor more than twelve thousand, two hundred and thirty-five (12,235) inhabitants according to the last Federal Census as to population, shall be twelve hundred dollars (\$1200.00) per annum, payable in equal monthly installments of one hundred dollars (\$100.00).

"That the salaries and compensation of the county commissioners in counties with a population not less than twenty-two thousand, six hundred forty-two (22,642), nor more than twenty-two thousand, seven hundred ninety-five (22,795), according to the last Federal Census, shall be Eighteen Hundred Dollars (\$1800.00) per annum, payable in equal monthly installments of One Hundred and Fifty Dollars (\$150.00)."

Amend the caption of the bill to conform hereto.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 603, A bill to be entitled "An Act amending Article 2613, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, Page 126, Chapter 61, Section 1, by adding thereto a new Section numbered 12, withdrawing all forest lands from the market and providing for a system of State forest lands, management and control thereof, and defining forest lands; and amending Article 5416, Revised Civil Statutes of Texas, 1925, designating certain lands bought by the State at tax sale as part of the public school funds, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

REGAN, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 817, A bill to be entitled "An Act providing for the acquisition of lands for State forests by Board of Directors of A. & M. College; vesting authority in such Board of Directors to so acquire lands for such purpose and prescribing means of acquisition and terms and manner of payment therefor, and the management, development and use thereof, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REGAN, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 975, A bill to be entitled "An Act amending Section or Subdivision 102, of article 199, of the Revised Civil Statutes of Texas—changing the times of holding Court

of the District Court of the One Hundred and Second Judicial District, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MARTIN, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 792, A bill to be entitled "An Act to subject to taxation for school purposes certain land in Brazos County, Texas, owned by the State of Texas heretofore set aside to the Agricultural and Mechanical College."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, a majority of your Committee on Penitentiaries, to whom was referred

H. B. No. 479, A bill to be entitled "An Act to amend Chapter 212, Sections 3, 5 and 8 of the General Laws of the Fortieth Legislature Regular Session; providing for the reorganization of the Texas Prison Board; providing said Board shall be composed of six (6) male members; fixing their terms of office; providing for their regular meeting place; providing for special meetings and providing that four (4) members of the Texas Prison Board shall constitute a quorum; providing for the control of the Texas Prison System by the Texas Prison Board through the General Manager selected by the Prison Board, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

HOLBROOK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, a minority of your Committee on Penitentiaries, to whom was referred

H. B. No. 479, A bill to be entitled "An Act to amend Chapter 212, Sections 3, 5, and 8 of the General Laws of the Fortieth Legislature, Regular Session; providing for the reorganization of the Texas Prison Board; etc., and declaring an emergency."

Beg leave to differ with the majority of the committee and recommend that said bill do pass and be printed.

BURNS,
SHIVERS,
PACE.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 773, A bill to be entitled "An Act authorizing the governing body of any incorporated city or town having a population of two hundred and ninety thousand (290,000) or more according to the preceding Federal Census to formulate and devise a pension plan, said pension plan before becoming effective to be approved by the qualified electors of such city or town; providing said pension plan shall not be compulsory to employees of such city or town; providing that Articles 6229 to 6243, inclusive, Revised Civil Statutes of Texas, of 1925, as amended by Acts of 1933, Forty-third Legislature, Page 206, Chapter 94, shall not apply to cities formulating and devising a pension plan under the terms and provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAWLINGS, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 946, A bill to be entitled "An Act to amend Section 4, Senate Bill No. 9, Chapter 5, Acts Second Called Session, Forty-third Legislature, and Senate Bill No. 118, Regular Session, Forty-fourth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate:

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 471, A bill to be entitled "An Act amending Article 195, Chapter 2, Title 4, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

STONE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 861, A bill to be entitled "An Act granting to John Mulkey of Ellis County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas, for damages sustained to his property by the construction of road bed and excavating sides of road bed adjacent to and upon his land on Highway No. Six in Ellis County, Texas, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

PACE, Chairman.

Committee Room,
Austin, Texas, May 2, 1935.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Criminal Jurisprudence to whom was referred S. B. No. 528,

Have had the same under consideration, and beg to report back with recommendation that it do pass and be not printed, as same is a local bill.

STONE, Chairman.

Committee Room,

Austin, Texas, May 2, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 680, A bill to be entitled "An Act regulating the use of State owned motor vehicles by employees of State Departments, Bureaus, Commissions, Institutions and Agencies in political campaigns; providing said cars may not be used except for carrying out business of the State; providing any one violating the provisions of this Act shall be dismissed from the State's employ; providing no employee of the State shall campaign or solicit votes in any manner whatever for the head of his Department or any other candidate seeking public office; providing no car may be used for the personal or family use of an employee; fixing penalties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation it do pass and be not printed.

STONE, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on Civil Jurisprudence Held April 30, 1935.

Called Meeting.

Present: Small, Hill, Hornsby, Moore, Rawlings, Shivers, Van Zandt, Collie.

Absent—Excused: Blackert, Davis, Fellbaum, Hopkins, Oneal, Redditt, Westerfeld.

S. B. No. 527 was reported favorably by viva voce vote.

S. B. No. 409 was reported favorably by viva voce vote.

H. B. No. 394 was reported favorably by viva voce vote.

H. B. No. 645 was reported favorably by viva voce vote.

H. B. No. 552 was reported favorably by viva voce vote.

H. B. No. 835 was reported favorably by viva voce vote.

H. B. No. 726 was reported favorably by viva voce vote.

H. B. No. 711 was reported favorably by viva voce vote.

H. B. No. 420 was reported favorably by viva voce vote.

H. B. No. 783 was reported favorably by viva voce vote.

H. B. No. 968 was reported favorably by viva voce vote.

H. B. No. 959 was reported favorably by viva voce vote.

H. B. No. 925 was reported favorably by viva voce vote.

H. B. No. 201 was reported favorably by viva voce vote.

S. B. No. 518 was reported favorably by viva voce vote.

HERMAN B. HILL, JR.,
Secretary.

FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

May 3, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

H. C. R. No. 94.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. McConnell:

H. C. R. No. 94, Asking Federal Government and State Government to cooperate in projects to help drought stricken areas.

Read and adopted by viva voce vote.

H. C. R. No. 98.

The Chair laid before the Senate on its second reading the following resolution:

By Mr. Reed of Bowie:

H. C. R. No. 98, Requesting establishment of C. C. C. camps along the Sulphur River.

Senator Beck moved the adoption of the committee amendments.

The committee report recommending that the resolution be not printed was adopted by unanimous consent.